

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL NO. 1:02CV224

**LOCAL 2-1971 OF PACE INTERNATIONAL)
UNION; PAPER ALLIED-INDUSTRIAL,)
CHEMICAL & ENERGY WORKERS)
INTERNATIONAL UNION, on behalf of)
members and former member participants in)
pension plans sponsored by the Defendants;)
JOY M. O'DELL; RAYMON C. GALLOWAY;)
JAMES F. SUMNER; W. HARRISON)
WHITLOCK; HUEY W. HARRIS; and)
GURLIE R. OWEN, on behalf of themselves)
and others similarly situated,)**

Plaintiffs,

Vs.

ORDER

**LANGDON M. COOPER, Trustee in)
Bankruptcy for RFS Ecusta, Inc., and RFS U.S.,)
Inc.; RFS ECUSTA, INC., as Administrator of)
the RFS Ecusta, Inc. Hourly Employees')
Retirement Plan, and in its own capacity;)
DIRECTORS OF RFS ECUSTA, INC.;)
PURICO (IOM) LIMITED; RF & SON, INC.;)
RFS U.S., INC.; NATHU PURI; STEVEN H.)
SMITH; TRUSTEE OF THE RFS ECUSTA,)
INC. HOURLY EMPLOYEES' RETIREMENT)
PLAN; WACHOVIA BANK, N.A.; and)
TRANSAMERICA BUSINESS CAPITAL)
CORPORATION,)**

Defendants.

THIS MATTER is before the Court on the parties' joint motion to bifurcate the issues regarding calculation of amounts owed to individual workers.

For the reasons stated in the motion, the trial will be bifurcated. If the issue of damages is reached, the Court will refer the matter to a special master.

IT IS, THEREFORE, ORDERED that the parties' joint motion to bifurcate is **ALLOWED**.

A handwritten signature in black ink, appearing to read "Lacy H. Thornburg", is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

